

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 16-2005

The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, November 3, 2005 commencing at 6:30 p.m.

ATTENDANCE

Council: Regional Chairman Partington; Councillors Alma; Angelone; Bailey, Baty; Bentley; Bodner; Brock; Casselman; Collins; Eke; Gabriel; Goulbourne; Harry; Hildreth; Hodgson; Katzman; Leavens; Marshall; Martin; Redekop; Salci; Saracino Smeaton; Timms; Trombetta; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Cambray, Commissioner, Planning and Development; Nicol, Commissioner, Human Resources; Neville, Commissioner of Public Works; Lockyer, Acting Commissioner of Corporate Services; Hutchings, Commissioner, Community Services; Deputy Chief Moody, Niagara Regional Police Service; Dr. Williams, Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Legislative Assistant.

Staff

(Part-Time): Mr. Bowles, Executive Assistant to the Regional Chair.

CLOSED COMMITTEE OF THE WHOLE

524. Moved by Councillor Harry
Seconded by Councillor Bodner

That this Council do now move into Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

525. Ad Hoc Committee of Council on
Property Assessment and Taxation Reform – Membership

Moved by Councillor Martin
Seconded by Councillor Zimmerman

That the proposed membership of the Ad Hoc Committee of Council on Property Assessment and Taxation Reform, be approved as presented.

Carried.

526. Shortfall in Provincial Funding for Long-Term Care - Possible Human Resources Implications
COM 89-2005/HR 37-2005 Confidential

Moved by Councillor Marshall
Seconded by Councillor Angelone

That Report COM 89-2005/HR 37-2005, respecting the Shortfall in Provincial Funding for Long-Term Care – Possible Human Resources Implications, be received for information; and

That staff be authorized to proceed as noted in the report.

Carried.

CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT

527. Moved by Councillor Trombetta
Seconded by Councillor Hildreth

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:05 p.m. with an Invocation by Councillor Hodgson, followed by the singing of O Canada.

ADOPTION OF THE AGENDA

528. Moved by Councillor Bentley
Seconded by Councillor Leavens

That the Council Agenda CL 16-2005 be adopted as amended by moving the delegation following the presentation by the Niagara Economic Development Corporation.

Carried.

529. **CONFLICTS OF INTEREST**

Councillor Bodner declared an indirect pecuniary interest with respect to Communication C6701, requesting Council to give serious consideration to the creation of VQA Stores in Ontario as he has an interest in acquiring a store, and therefore he took no part in the discussion of, or voting on, these matters.

Councillor Hodgson declared an indirect pecuniary interest with respect to Communication C6701, requesting Council to give serious consideration to the creation of VQA Stores in Ontario as he has an interest in a winery and, therefore he took no part in the discussion of, or voting on, these matters.

Councillor Marshall declared an indirect pecuniary interest with respect to any matters on the Niagara Health System, as they are his employer and, therefore he took no part in the discussion of, or voting on, these matters.

Councillor Zimmerman declared an indirect pecuniary interest with respect to Communication C6701, requesting Council to give serious consideration to the creation of VQA Stores in Ontario as she is Chief Executive Officer of the Grape Growers of Ontario, therefore she took no part in the discussion of, or voting on, these matters.

PRESENTATIONS

530. National Child Day Poetry Celebration

Dr. Williams, Co-Chair, Early Years Niagara, Children's Rights Interest Group thanked the students and the schools who participated in the First Annual National Child Day Poetry Celebration as part of National Child Day on November 20th, 2005. Over 120 poems were submitted, representing schools in St. Catharines, Niagara Falls, Port Colborne, Wainfleet, West Lincoln and Fonthill. We are celebrating National Child Day to recognize the United Nations Convention on the Rights of the Child (1989) and Niagara Children's Charter of Rights.

Dr. Williams introduced Shae-Lynn of Caistor Central Elementary School and Michael of St. Alexander School in Fonthill who read their winning poems for Regional Council, which reflected the theme for this year's celebration was "Playing A Part: Our Right to Participate".

Dr. Williams thanked parents, teachers and librarians for encouraging children to submit their poems and reminded everyone of National Child Day 2005, which is November 20th.

531. Certificate of Appreciation for Outstanding Performance – AMO

Councillor Collins presented the Regional Chair on behalf of the Niagara Region with a Certificate of Appreciation for Outstanding Performance from the Association of Municipalities of Ontario for hosting the 2005 Counties, Regions and Single Tier Municipalities and District Social Services Administration Boards Conference.

Councillor Collins thanked everyone involved in making the event a success!

532.

CHAIRMAN'S REMARKS

Regional Chair Partington noted that the mission to Japan and South Korea, is only one example of the initiatives being taken to aggressively sell Niagara as “open for business” in support of the Economic Growth Strategy, approved by Council. The Chair emphasized the critical importance of the public and private sectors working together in Niagara in order to attract new investment to the Niagara Region and its municipalities. It was crucial during all of our meetings in Japan and South Korea to demonstrate public/private sector partnerships in Niagara, as without them, it is doubtful that Niagara Region would have even been able to set up many of the meetings. The team provided compelling arguments in favour of doing business in Niagara Region, because of the combined expertise and experience of Niagara’s economic development professionals and seasoned international business leaders.

Niagara Economic Development Corporation in tandem with its municipal counterparts, will be following up on the leads developed during the mission over the next number of months in order to continue to build stronger relations with the automotive industry in Japan, South Korea, as well as in North America with the aim of helping to attract new market opportunities, investments and jobs to Niagara Region.

The Regional Chair advised Regional Council that the Ministry of Transportation submitted the Niagara-GTA Corridor Environmental Assessment Terms of Reference to the Minister of the Environment for approval on October 28th, with comments to the Minister by December 2nd. The Planning Department will be preparing a report for the upcoming Committee meetings, in order to meet the commenting deadline.

Regional Chair Partington advised Regional Council that he received a call from Minister Caplan’s office to advise him that the Minister has accepted the invitation the Chair had extended to the Minister to tour Niagara Region. Minister Caplan will be in the Niagara Region on November 18th. The Chair noted that he looks forward to meeting with Minister Caplan and discussing the issues of importance to Niagara Region such as the Niagara-GTA Corridor, the 406 extension, and Niagara’s Grow South strategy.

Regional Chair Partington encouraged all Niagara citizens to purchase a poppy from the Royal Canadian Legion and to mark the two-minute moment of silence on November 11th Remembrance Day, to remember those who fought and died so that we may live in peace.

Regional Chair Partington thanked Peter Bulk Greenhouses in the City of Welland for the cut roses on display in Council Chambers.

PRESENTATIONS (Continued)

533. Niagara Mission to Japan and South Korea

Messrs. Rudi Kroeker, Chair of the Niagara Economic Development Corporation and Patrick Gedge, CEO of the Niagara Economic Development Corporation provided Regional Council with a presentation on their mission to Japan and South Korea.

Regional Council was apprised of the **objectives** of the mission and **results** attained through the mission, **to raise awareness of Niagara Region as a manufacturing centre - every business and government meeting focused on the manufacturing sector; major use of geographic/economic positioning of Niagara Region and Just in Time (JIT) advantages; recognition given to Niagara mission at all major events and particular emphasis with other government “intermediaries”; build business relationships in the auto industry - initial meeting held with major automotive companies; building of networks with Canadian government officials and Canadian Tier-1 suppliers, automotive industry associations, and Japanese trade associations; established credibility and listened to the “customer”; gain market intelligence – verified logic and timing of manufacturing/automotive initiative; how to do business with different companies and cultures; how to leverage other distribution channels and networks; understanding of market forces influencing future direction of automotive sector; reinforced objectives and importance of Economic Growth Strategy, e.g. Niagara-GTA Corridor and explore new market opportunities and the results attained – several concrete, reliable leads and need to match B2B opportunities working with Niagara manufacturers.**

Regional Council was advised that Niagara Economic Development Corporation will be following up on the specific leads generated, business contacts, government and association contacts, Niagara transportation/automotive industry and will be reviewing the action plan for 2006 implementation.

DELEGATIONS (Related to Committee Reports)

534. Market Change Profile

Ms. Penny Christie, Municipal Relations Representative, Municipal Property Assessment Corporation (MPAC), provided Regional Council with a presentation on the 2005 Current Value Assessment in Niagara and MPAC’s, Assessment Process and Customer Service Improvements.

Ms. Christie noted that all properties are assessed under the Current Value Assessment (CVA); that the assessed values are based on a recent point in time, January 2005; that property owners can check the accuracy of their assessed value by comparing it to the price they would expect to sell their property for on the open market in January 2005 and that there has been a consistent, uniform method of distributing property taxes throughout a municipality.

Regional Council was provided with the average residential, multi-residential, farm, commercial, industrial change by municipality, the median assessed value of residential single family detached homes (property code 301) by municipality.

Ms. Christie advised Regional Council that MPAC has addressed their requests and are now providing more information to show how individual property assessment changes compare to other properties in the municipality; they are more approachable, proactive and responsive; more open and provide as much information as possible about how assessed values are determined and provide faster, easier access to information to help owners determine the accuracy of their assessment.

APPROVAL OF MINUTES

535. Report CW 5-2005

Moved by Councillor Goulbourne
Seconded by Councillor Redekop

That Report CW 5-2005, being the minutes of the Committee of the Whole meeting of Thursday, October 13, 2005, be approved and adopted.

Carried.

536. Report 15-2005

Moved by Councillor Harry
Seconded by Councillor Smeaton

That Report 15-2005, being the minutes of the Proceedings of Council of Thursday, October 13, 2005, be approved and adopted.

Carried.

CORRESPONDENCE

537. Communications were received and dealt with as follows:

a) Receive and/or Refer to Staff

C6700 Card of thanks from June Meller, an employee of the Planning and Development Department, and family for the kind donation to the Canadian Diabetes Association in memory of her father-in-law, Sam Robinson.

-- Received.

C6702 The City of Niagara Falls (October 11, 2005) requesting Regional Council support of its resolution asking the Federal Government to intervene in the wholesale gasoline sector to restore the free market system of competition.

-- Received.

C6703 Debbie Sevenpifer, President and CEO of Niagara Health System, (October 12, 2005) expressing appreciation for the support given for the new healthcare complex in west St. Catharines.

-- Received.

Moved by Councillor Hodgson
Seconded by Councillor Bodner

That Communications C6700, C6702 and C6703, be received and dealt with as noted in the Council Agenda and Addendum.

Carried.

538. Moved by Councillor Eke
Seconded by Councillor Salci

That Communications C6701, a letter from Gary Burroughs, Lord Mayor, Niagara-on-the-Lake (October 17, 2005) requesting that the Council of the Regional Municipality of Niagara give serious consideration to the creation of VQA Stores in Ontario, be received and supported.

Carried.

AGENCIES BOARDS AND COMMISSIONS

539. Niagara Regional Housing - Update

Councillor Eke advised Regional Council that the Niagara Regional Housing forum that was held on October 21, 2005, was a success with over two hundred (200) interested parties attending.

Niagara Regional Housing has also forwarded a letter to the Ministry indicating Niagara's interest in accepting the latest proposal for one hundred and five (105) new units.

540. Niagara Regional Housing Quarterly Report
July 1, 2005 – September 30, 2005

Moved by Councillor Eke
Seconded by Councillor Bailey

That Report NRH 05-2005, November 3, 2005, respecting Niagara Regional Housing Quarterly Report, July 1, 2005 – September 30, 2005, be received for information.

Carried.

COMMITTEE REPORTS
PLANNING SERVICES COMMITTEE REPORT

541. Report 16-2005

Moved by Councillor Smeaton
Seconded by Councillor Eke

That Report 16-2005 being the minutes of the Planning Services Committee meeting of Wednesday, October 26, 2005, be approved and adopted.

Carried.

CORPORATE AND FINANCIAL SERVICES COMMITTEE

542. Report 16-2005

Councillor Martin announced that Miriam Christie; Jack Lowrey; Peter Lowe; David Siegel; Jeff Wallis; Stan Harrington and a representative of the Grimsby Economic Development Corporation, yet to be named, were appointed as members of the Ad Hoc Committee of Council on Property Assessment and Taxation Reform.

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 16-2005 being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, October 26, 2005, be approved and adopted.

Carried.

COMMUNITY SERVICES COMMITTEE

543. Report 16-2005

Moved by Councillor Hildreth
Seconded by Councillor Bailey

That Report 16-2005 being the minutes of the Community Services Committee meeting of Monday, October 24, 2005, be approved and adopted, as amended by the actions of Committee of the Whole.

544. Moved by Councillor Baty
Seconded by Councillor Timms

That Minute Item #157 of Report 16-2005, October 24, 2005, Community Services Committee minutes, Report COM 83-2005, October 24, 2005, respecting the Social Assistance Participant Smoking Cessation Support Project, be lifted and dealt with by Council at this time.

Carried.

545. Social Assistance Participant Smoking Cessation Support Project
COM 83-2005

Moved by Councillor Baty
Seconded by Councillor Timms

That Report COM 83-2005, October 24, 2005, respecting Social Assistance Participant Smoking Cessation Support Project, be received; and

That the Chair and Clerk be authorized to enter into an agreement with Health Canada for the Social Assistance Participant Smoking Cessation Support Project. (\$85,665 100% federally funded).

That Community Services be authorized to use a portion of the agreement funds to add 1.5 full-time temporary staff for the project ending March 31, 2006.

Carried.

Upon a vote being taken, the Regional Chair declared the original motion, as amended on Report 16-2005, being the minutes of the Community Services Committee meeting of Monday, October 24, 2005, was carried.

HUMAN RESOURCES COMMITTEE

546. Report 12-2005

Moved by Councillor Collins
Seconded by Councillor Leavens

That Report 12-2005 being the minutes of the Human Resources Committee meeting of Tuesday, October 25, 2005, be approved and adopted, as amended by the actions of Committee of the Whole.

Carried.

PUBLIC HEALTH SERVICES COMMITTEE

547. Report 16-2005

Moved by Councillor Timms
Seconded by Councillor Baty

That Report PHSC 16-2005 being the minutes of the Public Health Services Committee meeting of Monday, October 24, 2005, be approved and adopted.

Carried.

PUBLIC WORKS AND UTILITIES COMMITTEE

548. Report 16-2005

Moved by Councillor Redekop
Seconded by Councillor Goulbourne

That Report 16-2005 being the minutes of the Public Works and Utilities Committee meeting of Tuesday, October 25, 2005, be approved and adopted as amended with respect to Minute Item 457, Report PWA 186-2005 (CSD 144-2005), October 25, 2005, respecting the South Service Road in the Town of Grimsby, as amended by the Corporate and Financial Services Committee.

549. Moved by Councillor Goulbourne
Seconded by Councillor Angelone

That Minute Item #470 of Report 16-2005, October 25, 2005, Public Works and Utilities Committee minutes, Report PWA 188-2005, October 25, 2005, respecting the Legal Agreement for Interchange Upgrades, Ministry of Transportation, Highway 406 and Regional Road 20 in the City of Thorold, be lifted and dealt with by Council at this time.

Carried.

550. Legal Agreement for Interchange Upgrades
Ministry of Transportation
Highway 406 and Regional Road 20
City of Thorold

PWA 188-2005

Moved by Councillor Goulbourne
Seconded by Councillor Angelone

That Report PWA 188-2005, October 25, 2005, respecting Legal Agreement for Interchange Upgrades, Ministry of Transportation, Highway 406 and Regional Road 20 in the City of Thorold, be referred back to the Public Works and Utilities and Corporate and Financial Services Committees on November 15 and 16, 2005, respectively, in order to receive further information.

Carried.

Upon a vote being taken, the Regional Chair declared the original motion, as amended on Report 16-2005, being the minutes of the Public Works and Utilities Committee meeting of Tuesday, October 25, 2005, was carried.

(Refer to Staff Directions)

COUNCIL ORGANIZATION REVIEW COMMITTEE (CORC)

551. Membership – New Standing Committees

Moved by Councillor Baty
Seconded by Councillor Timms

That the Membership for the new Standing Committees, be received and approved as presented.

Carried.

552. Appointment

Moved by Councillor Baty
Seconded by Councillor Goulbourne

That Councillor Angelone be appointed to the Council Organization Review Committee (CORC).

Carried.

NOTICES OF MOTION

553. Councillor Baty brought forward a Notice of Motion, respecting the distribution of the revised Procedural By-law for approval at the November 24, 2005 Regional Council meeting.

MOTIONS

554. Niagara's two casinos:
Casino Niagara and Niagara Fallsview Casino Resort

Moved by Councillor Salci
Seconded by Councillor Eke

WHEREAS according to the Ontario Lottery & Gaming Corporation (OLGC), one of the key goals of introducing gaming in the Province of Ontario was to stimulate tourism development; and

WHEREAS Casino gaming in Niagara Falls has been the catalyst for economic growth, job creation and the revitalization of Niagara's tourism sector; and

WHEREAS Mr. Duncan Brown, Chief Executive Officer of OLGC stated "we have to be more than cash generation. It is about contributing to the economic fabric of the Province in ways that may not show up on the OLGC financial statement"; and

WHEREAS since the opening of Casino Niagara in 1996, the private sector, in Niagara Falls and the Region, has invested in excess of \$3 billion in tourism related development; and

WHEREAS this amount of private sector investment has been unmatched, anywhere in Canada, where gaming has been introduced; and

WHEREAS the Provincial government has not made a final decision on its long-term plans for the future of Casino Niagara, now that the Fallsview Casino Resort opened; and

WHEREAS the closure of Casino Niagara would signal a lack of confidence by the Ontario Government in one of the Province's premier tourism destinations; and

WHEREAS the incremental impacts to date attributable to the operation of two casinos will be at risk; and

WHEREAS the closure of Casino Niagara would mean the loss of hundreds of millions of dollars in proposed development by the private sector; and

WHEREAS the closure of Casino Niagara would eliminate 2,000 direct jobs; and

WHEREAS the closure of Casino Niagara would create a "black hole" effect at the Fallsview Casino; and

WHEREAS the closure of Casino Niagara will mean the loss of key ridership demand for the proposed People Mover System; and

WHEREAS PKF Consulting has completed a study on the economic benefits of maintaining two casinos in Niagara Falls; and

WHEREAS the PKF study outlines the economic dangers of closing Casino Niagara.

THEREFORE BE IT RESOLVED that because of the obvious economic benefits, the Provincial government be urged to make a long-term commitment to Casino Niagara; and

FURTHER BE IT RESOLVED that a commitment of 20 years to Casino Niagara by the Province will continue to encourage economic investment, especially in the Niagara Region; and

FURTHER BE IT RESOLVED that a copy of tonight's resolution be forwarded to Premier Dalton McGuinty, Minister David Caplan and Minister Jim Bradley.

Carried.

OTHER BUSINESS

555. Community Flu Clinic Schedule

Councillor Casselman encouraged members of Regional Council, the public and staff to prevent the flu, by obtaining their flu shot at one of the many Community Flu Clinics in the Niagara Region.

556. Ontario Association of Chiefs of Police – HQ Magazine

Councillor Martin made note of the latest edition of the HQ Magazine which features an article written by Niagara's Deputy Chief Moody, entitled "Border Policing: A Unique Challenge for Ontario Police Services Falls 2005".

Regional Council extended congratulation to Deputy Chief Moody, for the publication of the article.

557. United Way

Councillor Collins advised Regional Council that he has distributed United Way donation forms to all Regional Councillors and that he encourages everyone to donate to the United Way so that they can meet the demands of Niagara's residents.

BY-LAWS

558. Moved by Councillor Leavens
Seconded by Councillor Collins

That the following bills be now read and do pass:

100

A by-law to establish Blocks 14 and 15, Plan 30M-349, City of St.Catharines as part of Regional Road NO. 69 (Pelham Road)

101

A by-law to provide for the regulation of traffic on regional highways in the city of St. Catharines

102

A by-law to provide for the regulation of traffic on regional highways in the township of Wainfleet and town of Pelham

103

A by-law to provide for the regulation of traffic on regional highways in the town of Pelham

104

A by-law to provide for the regulation of traffic on regional highways in the city of St. Catharines and city of Thorold

105

A by-law to provide for the regulation of traffic on regional highways in the city of St. Catharines

106

A by-law to provide for the regulation of traffic on regional highways in the town of Grimsby

Carried.

559. Moved by Councillor Marshall
Seconded by Councillor Almas

That the following bills be now read and do pass:

Bill 107

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 3rd of November, 2005.

Bill 108

A by-law to add a portion of a lower-tier Highway to the Region's Highway System and to establish the Highway as part of Regional Road No. 3A, in the City of Port Colborne.

Carried.

STAFF DIRECTIONS

Staff was requested to:

- Provide the Public Works and Utilities Committee with the Terms of Reference for the Niagara Road 12 Community Liaison Committee. (Refers to Minute Item 548)

ADJOURNMENT

The Council meeting adjourned at 9:45 p.m.

Peter Partington
Regional Chairman

Janet Pilon
Legislative Assistant

Pam Gilroy
Regional Clerk